

Client Code: OPTIS.039A



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To the Director, U.S. Patent and Trademark Office: Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies): (List if multiple parties)</p> <ol style="list-style-type: none">1) Bernhard B. Sterling;2) Philip C. Hartstein;3) Kenneth I. Li;4) Mark D. Agostino;5) David C. Klonoff;6) Robert D. Gaffney;7) Peng Zheng;8) Jennifer H. Gable;9) Kenneth G. Witte;10) Mike A. Munrow;11) W. Dale Hall;12) Daniel S. Goldberger;13) Julian M. Cortella;14) James R. Braig;15) Peter Rule <p>Additional name(s) of conveying party(ies) attached?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: OptiScan Biomedical Corporation</p> <p>Street Address: 1105 Atlantic Avenue, Suite 101</p> <p>City: Alameda State: CA</p> <p>ZIP: 94501</p> <p>Additional name(s) of receiving party(ies) attached?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Security Agreement</p> <p><input type="checkbox"/> Merger <input type="checkbox"/> Change of Name</p> <p><input type="checkbox"/> Other:</p> <p>Execution Date: (List as in section 1 if multiple signatures)</p> <p>1) 1/16/04; 2) 1/16/04; 3) 1/16/04; 4) 12/30/03; 5) 1/10/04; 6) 12/26/03; 7) 1/16/04; 8) 1/15/04; 9) 1/16/04; 10) 1/16/04; 11) 1/16/04; 12) 1/5/04; 13) 12/26/03; 14) 1/16/04; 15) 1/13/04</p>	<p>4. Application number(s) or Patent number(s):</p> <p><input checked="" type="checkbox"/> Patent Application No.: 10/055,875</p> <p>Filing Date: January 21, 2002</p> <p>Additional numbers attached?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: Mark J. Kertz</p> <p>KNOBBE, MARTENS, OLSON & BEAR, LLP</p> <p>Customer No. 20,995</p> <p>Internal Address: Fourteenth Floor</p> <p>Street Address: 2040 Main Street</p> <p>City: Irvine State: CA ZIP: 92614</p> <p>Attorney's Docket No.: OPTIS.039A</p>	<p>6. Total number of applications and patents involved: 1</p> <p>7. Total fee (37 CFR 1.21(h)): \$40</p> <p><input checked="" type="checkbox"/> Enclosed</p> <p>8. Deposit account number: 11-1410</p> <p>Please charge this account for any additional fees which may be required, or credit any overpayment to this account.</p>

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.

Mark J. Kertz
Name of Person Signing

Mark Kertz

Signature

Feb. 17, 2004

Date

43,711
Registration No.

Total number of pages including cover sheet, attachments and document: 15

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Application No.: 10/055,875
Filing Date: January 21, 2002

PATENT
Client Code: OPTIS.039A
Page 1 of 13

ASSIGNMENT

WHEREAS, We, **Bernhard B. Sterling**, a U.S. citizen, residing at 882 El Pintado Road, Sunnyvale, CA 94086; **Philip C. Hartstein**, a U.S. citizen, residing at 21076 Grenola Drive, Cupertino, CA 95014; **Kenneth I. Li**, a U.S. citizen, residing at 53 Calvert Court, Piedmont, CA 94611; **Mark D. Agostino**, a U.S. citizen, residing at 2041 Alameda Ave., #3, Alameda, CA 94501; **David C. Klonoff**, a U.S. citizen, residing at 2958 Arguello Drive, Burlingame, CA 94010; **Robert D. Gaffney**, a U.S. citizen, residing at 11 Irving Avenue, Atherton, CA 94027; **Peng Zheng**, a U.S. citizen, residing at 15 Souza Court, Alameda, CA 94502; **Jennifer H. Gable**, a U.S. citizen, residing at 2204 LaSalle Drive, Walnut Creek, CA 94598; **Kenneth G. Witte**, a U.S. citizen, residing at 1547 Petersen Avenue, San Jose, CA 95129; **Mike A. Munrow**, a U.S. citizen, residing at 2718 Belmont Canyon Road, Belmont, CA 94002; **W. Dale Hall**, a U.S. citizen, residing at 432 Hudson Street, Oakland, CA 94618; **Daniel S. Goldberger**, a U.S. citizen, residing at 644 College Avenue, Boulder, CO 80302; **Julian M. Cortella**, a U.S. citizen, residing at 3826 Alameda De Las Pulgas, Menlo Park, CA 94025; **James R. Braig**, a U.S. citizen, residing at 280 Mountain Avenue, Piedmont, CA 94611; and **Peter Rule**, a U.S. citizen, residing at 24183 Hillview Road, Los Altos Hills, CA 94024, have invented certain new and useful improvements in a **REAGENT-LESS WHOLE-BLOOD GLUCOSE METER** for which we have filed an application for Letters Patent in the United States, Application No. 10/055,875, Filed on January 21, 2002;

AND WHEREAS, OPTISCAN BIOMEDICAL CORPORATION (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 1105 Atlantic Avenue, Suite 101, Alameda, CA 94501, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 16th day of January, 2002

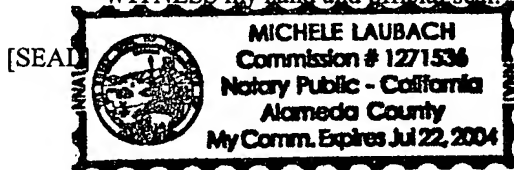
Bernhard B. Sterling
Bernhard B. Sterling

STATE OF California }
COUNTY OF Alameda } ss.

On Jan. 16, 2004, before me, Michele Laubach, personally appeared Bernhard B. Sterling personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person whose name is subscribed

to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

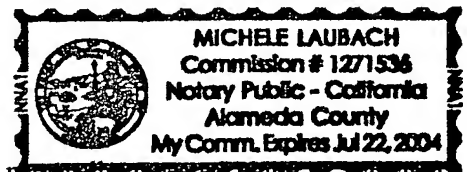


Michele Laubach
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 16th day of Jan., 2004

Philip C. Hartstein
Philip C. Hartstein

STATE OF California }
COUNTY OF Alameda } ss.



On Jan. 16, 2004, before me, Michele Laubach, personally appeared Philip C. Hartstein personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Michele Laubach
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 16th day of January, 2004

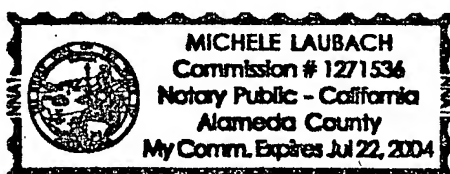
Kenneth I. Li
Kenneth I. Li

STATE OF California }
COUNTY OF Alameda } ss.

On Jan. 16, 2004, before me, Michele Laubach, personally appeared Kenneth I. Li personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

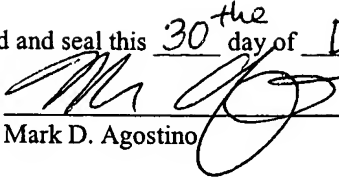


Michele Laubach
Notary Signature

Application No.: 10/055,875
Filing Date: January 21, 2002

PATENT
Client Code: OPTIS.039A
Page 3 of 13

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 30th day of Dec., 2003


Mark D. Agostino


STATE OF California }
COUNTY OF Alameda } ss.

On Dec. 30, 2003 before me, Michele Laubach, personally appeared Mark D. Agostino personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]




Notary Signature

Application No.: 10/055,875
Filing Date: January 21, 2002

PATENT
Client Code: OPTIS.039A
Page 4 of 13

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 10 day of JANUARY, 2004

David C. Klonoff 1/10/04
David C. Klonoff

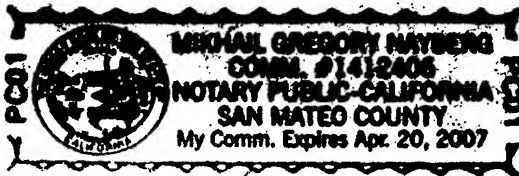
STATE OF CALIFORNIA }
COUNTY OF SAN MATEO } ss.

On 01-10-2004, before me, MIKHAIL GREGORY NAYBERG, personally appeared David C. Klonoff personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Mikhail Gregory Nayberg
Notary Signature



Application No.: 10/055,875
Filing Date: January 21, 2002

PATENT
Client Code: OPTIS.039A
Page 5 of 13

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 26 day of December, 2003

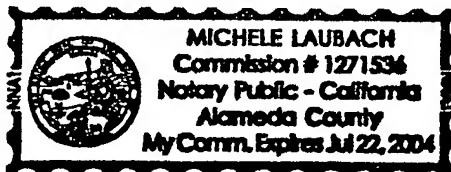
Robert D. Gaffney
Robert D. Gaffney

STATE OF California }
COUNTY OF Alameda } ss.

On Dec. 26, 2003, before me, Michele Laubach, personally appeared Robert D. Gaffney personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Michele Laubach
Notary Signature

Application No.: 10/055,875
Filing Date: January 21, 2002

PATENT
Client Code: OPTIS.039A
Page 6 of 13

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 16th day of Jan., 2004

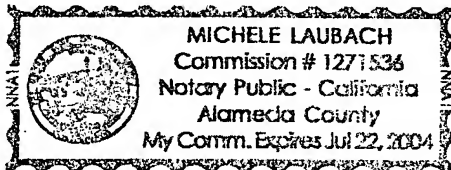
Peng Zheng

STATE OF California }
COUNTY OF Alameda } ss.

On Jan. 16, 2004, before me, Michele Laubach, personally appeared Peng Zheng personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Michele Laubach
Notary Signature

Application No.: 10/055,875
Filing Date: January 21, 2002

PATENT
Client Code: OPTIS.039A
Page 7 of 13

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 15 day of Jan, 2004

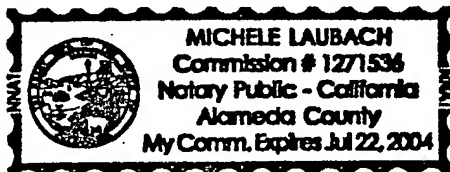

Jennifer H. Gable

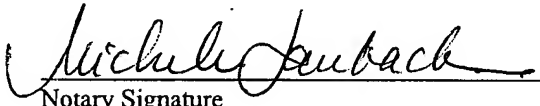
STATE OF California }
COUNTY OF Alameda } ss.

On Jan. 15, 2004, before me, Michele Laubach, personally appeared Jennifer H. Gable personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]




Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 16 day of Jan, 2004

Kenneth G. Witte
Kenneth G. Witte

STATE OF California }
COUNTY OF Alameda } ss.



On Jan. 16, 2004, before me, Michele Laubach, personally appeared Kenneth G. Witte personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

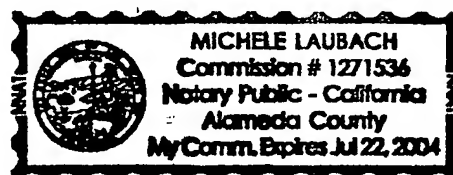
[SEAL]

Michele Laubach
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 16th day of January, 2004

Mike A. Munrow
Mike A. Munrow

STATE OF California }
COUNTY OF Alameda } ss.



On Jan. 16, 2004, before me, Michele Laubach, personally appeared Mike A Munrow personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Michele Laubach
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 16th day of January, 2004

W. Dale Hall
W. Dale Hall

STATE OF California }
COUNTY OF Alameda } ss.

Application No.: 10/055,875
Filing Date: January 21, 2002

PATENT
Client Code: OPTIS.039A
Page 9 of 13

On Jan. 16, 2004, before me, Michele Laubach, personally appeared W. Dale Hall personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Michele Laubach
Notary Signature

Application No.: 10/055,875
Filing Date: January 21, 2002

PATENT
Client Code: OPTIS.039A
Page 10 of 13

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 5th day of January, 2004

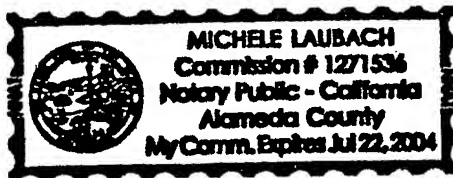
Daniel S. Goldberger
Daniel S. Goldberger

STATE OF California }
COUNTY OF Alameda } ss.

On Jan. 5, 2004, before me, Michele Laubach, personally appeared Daniel S. Goldberger personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

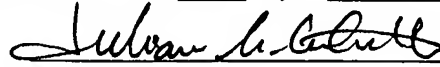


Michele Laubach
Notary Signature

Application No.: 10/055,875
Filing Date: January 21, 2002

PATENT
Client Code: OPTIS.039A
Page 11 of 13

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 26th day of December, 2003.



Julian M. Cortella

STATE OF California }
COUNTY OF Alameda } ss.

On Dec. 26, 2003 before me, Michele Laubach, personally appeared Julian M. Cortella personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]




Notary Signature

Application No.: 10/055,875
Filing Date: January 21, 2002

PATENT
Client Code: OPTIS.039A
Page 12 of 13

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 16 day of JAN, 2004

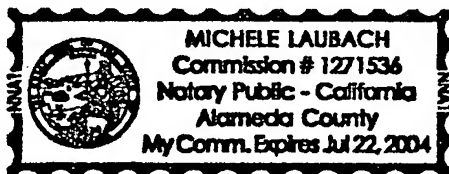
James R. Braig

STATE OF CALIFORNIA }
COUNTY OF Alameda } ss.

On Jan. 16, 2004, before me, Michele Laubach, personally appeared James R. Braig personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Michele Laubach
Notary Signature

Application No.: 10/055,875
Filing Date: January 21, 2002

PATENT
Client Code: OPTIS.039A
Page 13 of 13

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 13th day of January, 2004

Peter Rule
Peter Rule

STATE OF California }
COUNTY OF Alameda } ss.

On Jan. 13, 2004, before me, Michele Laubach, personally appeared Peter Rule personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Michele Laubach
Notary Signature

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